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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,130	11/05/2001	Peter Kenyon Simpson	4387 P	5549
7590	01/14/2005		EXAMINER	
Daniel P McCarthy at Parsons Behle & Latimer One Utah Center 201 South Main Street Suite 1800 Salt Lake City, UT 84145-0898			RAO, ANAND SHASHIKANT	
			ART UNIT	PAPER NUMBER
			2613	
DATE MAILED: 01/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/009,130	SIMPSON ET AL.
	Examiner	Art Unit
	Andy S. Rao	2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on ____.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-38 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-38 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benson et al., (hereinafter referred to as "Benson").

Benson discloses a surveillance system (Benson: figure 2) comprising: an electrical conducting track (Benson: column 3, lines 64-65); a carriage movable on said track (Benson: column 3, lines 29-30); a driving means mounted on said carriage for moving each said carriage to different locations along said track (Benson: column 3, lines 43-45); a power supply providing power to said carriage (Benson: column 6, lines 25-40); at least one monitoring device mounted on said carriage providing an output signal for a monitored location (Benson: column 3, lines 35-40); a modulation means receiving said output signal (Benson: column 4, lines 52-58); a transmission means for transmitting modulated output signals on said track (Benson: column 5, lines 50-65); a means for receiving and demodulating said transmitted modulated output signals

(Benson: column 4, lines 60-67; column 5, lines 1-4); a viewing means to view said demodulated output signal at a remote location (Benson: column 5, lines 5-30-50) and a control means for controlling movement of each said carriage on said track (Benson: column 6, lines 9-27), as in claim 1. However, Benson fails to disclose the use of multiple carriages mounted on the track, but only discloses one carriage. The courts have long held that duplication of additional elements is obvious if only to produce a multiplied effect, *St. Regis Paper Co. v. Bemis Co., Inc.*, 193 USPQ 8, 11 (7th Cir. 1977). Accordingly, given this ruling, it would have been obvious for one of ordinary skill in the art to modify the Benson apparatus by incorporating multiple carriages in order to provide a wider area under monitoring to the remote operator (Benson: column 5, lines 3-18). The Benson apparatus, now modified to incorporate multiple carriages, has all of the features of claim 1.

Regarding claim 2, the Benson apparatus, now modified to incorporate multiple carriages, has the track comprising three conductors, where there is one conductor for transferring power (Benson: column 6, lines 35-40), a second conductor for transferring video and control signals (Benson: column 4, lines 59-63) and a third conductor as ground conductor (Benson: column 4, lines 33-36), as in the claim.

Regarding claim 3, the Benson apparatus, now modified to incorporate multiple carriages, has carriages transmit output video signals at a predetermined frequency which frequency is different from the predetermined frequency of other carriages (Benson: column 4, lines 55-58)), as in the claim.

Regarding claim 4, the Benson apparatus, now modified to incorporate multiple carriages, has carriages receive and transmit data and control signals at a predetermined frequency which is the same frequency for each said carriage (Benson: column 5, lines 50-65).

Regarding claims 5-6, A system of claim 1 wherein said transmission means is an antenna that transmits data and/or video information by radio frequency (Benson: column 4, lines 55-67), as in the claim.

Regarding claim 7. the Benson apparatus, now modified to incorporate multiple carriages, has said monitoring device operates in the visible, infrared, or ultraviolet spectrum (Benson: column 5, lines 10-20).

Regarding claim 8, the Benson apparatus, now modified to incorporate multiple carriages, has said monitoring device is a video camera (Benson: column 3, lines 55-65).

Regarding claim 9, the Benson apparatus, now modified to incorporate multiple carriages, has the monitoring device operates in the audio range (Benson: column 5, lines 10-20), as in the claim.

Regarding claims 10-17, the Benson apparatus, now modified to incorporate multiple carriages, has said control means includes means for avoiding collision of said carriages (Benson: column 6, lines 1-17), as in the claims.

Regarding claims 18-21, the Benson apparatus, now modified to incorporate multiple carriages, further comprising means for preventing any one carriage located on said track from colliding with an adjacent carriage located on said track including an interface translator which is adapted to receive position data from said carriages and store the position of each carriage based

on the position data received from said carriages (Benson: column 5, lines 30-50), as in the claims.

Regarding claims 22-23, the Benson apparatus, now modified to incorporate multiple carriages, has position management software that maintains a minimum distance between adjacent carriages (Benson: column 5, lines 15-30), as in the claims.

Regarding claims 24-25, the Benson apparatus, now modified to incorporate multiple carriages, has a master controller including an interface translator (Benson: column 5, lines 1-20), as in the claims.

Regarding claims 26, the Benson apparatus, now modified to incorporate multiple carriages, has data processing means for recording and storing data relating to a location of said carriage along said track and for transmitting data relating to said carriage's position along said track to an interface translator (Benson: column 4, lines 47-68; column 5, lines 1-50), as in the claims

Benson discloses collision avoidance means for a surveillance system comprising a carriages on a single track (Benson: figure 2), said collision avoidance means comprising: means on the carriage for determining a position of said carriage (Benson: column 5, lines 30-35); means for transmitting said position (Benson: column 5, lines 50-55); means associated with each said carriage for storing said position and receiving and storing a position for one carriages (Benson: column 5, lines 20-30); means for controlling movement of said carriage to avoid moving said carriage to a position recorded (Benson: column 5, lines 50-67; column 6, lines 1-26), as in claim 28. However, Benson fails to disclose the use of multiple carriages mounted on the track, but only discloses one carriage. The courts have long held that duplication of

additional elements is obvious if only to produce a multiplied effect, *St. Regis Paper Co. v. Bemis Co., Inc.*, 193 USPQ 8, 11 (7th Cir. 1977). Accordingly, given this ruling, it would have been obvious for one of ordinary skill in the art to modify the Benson apparatus by incorporating multiple carriages in order to provide a wider area under monitoring to the remote operator (Benson: column 5, lines 3-18). The Benson apparatus, now modified to incorporate multiple carriages, has all of the features of claim 28.

Regarding claim 29, the Benson apparatus, now modified to incorporate multiple carriages, has wherein said means for determining a position is a position sensor comprising a means for sensing distance traveled by said carriage over a predetermined time period and a means associated with each carriage for calculating a location of said carriage (Benson: column 5, lines 30-50), as in the claim.

Regarding claim 30, the Benson apparatus, now modified to incorporate multiple carriages, has means for controlling movement prevents said carriage from moving within a predetermined distance of said position recorded as the position of the said adjacent carriage (Benson: column 5, lines 30-50), as in the claim.

Regarding claims 31-33, the Benson apparatus, now modified to incorporate multiple carriages, has comprising at least one conductor adapted to support a carriage and an insulative insert supporting said track (Benson: column 4, lines 35-40), as in the claims

Benson discloses a surveillance method (Benson: column 1, lines 5-15) including the steps of: locating a carriage on a track (Benson: column 3, lines 64-65); mounting at least one monitoring device on said carriage (Benson: column 3, lines 40-50); providing power to power movement of said carriage on said track (Benson: column 3, lines 43-45); transmitting output

signals from said monitoring device to a remote location (Benson: column 5, lines 50-65); and controlling movement of said carriage on said track (Benson: column 6, lines 9-27), as in claim 34. However, Benson fails to disclose the use of multiple carriages mounted on the track, but only discloses one carriage. The courts have long held that duplication of additional elements is obvious if only to produce a multiplied effect, *St. Regis Paper Co. v. Bemis Co., Inc.*, 193 USPQ 8, 11 (7th Cir. 1977). Accordingly, given this ruling, it would have been obvious for one of ordinary skill in the art to modify the Benson method by incorporating multiple carriages in order to provide a wider area under monitoring to the remote operator (Benson: column 5, lines 3-18). The Benson method, now modified to incorporate multiple carriages, has all of the features of claim 34.

Regarding claim 35, the Benson method, now modified to incorporate multiple carriages, has said output signals are image signals (Benson: column 4, lines 60-68), as in the claim.

Regarding claim 36, the Benson method, now modified to incorporate multiple carriages, has wherein said output signals are image and audio signals (Benson: column 5, lines 10-20), as in the claim.

Regarding claim 37, the Benson method, now modified to incorporate multiple carriages, has including the steps of: recording a position of each said carriage on said track, and controlling movement of said carriages to avoid collision (Benson: column 5, lines 30-50), as in the claim.

Regarding claim 38, the Benson method, now modified to incorporate multiple carriages, has the steps of: reading registration marks associated with said tracks, calculating a position of each carriage relative to said registration marks, transmitting said position of each carriage

receiving said positions of each carriage, and controlling movement of each said carriage to avoid collision of any said carriages (Benson: column 5, lines 30-67), as in the claim.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nordmann discloses a monitoring installation. Top discloses a rugged miniature pan/tilt dome camera assembly. Coutta discloses a surveillance system. VanZeeland discloses a video security system with motion sensor override, wireless interconnection, and mobile cameras. Siedlarczyk discloses a maintenance cart for remote inspection and cleaning of closed track.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (703)-305-4813. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on (703)-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andy S. Rao

Application/Control Number: 10/009,130
Art Unit: 2613

Page 9

Primary Examiner
Art Unit 2613

asr
January 13, 2005

~~ANDY RAO~~
~~PRIMARY EXAMINER~~
